

1 GENTILE CRISTALLI  
2 MILLER ARMENI SAVARESE  
3 PAOLA M. ARMENI  
4 Nevada Bar No. 8357  
5 Email: [parmeni@gcmaslaw.com](mailto:parmeni@gcmaslaw.com)  
6 410 South Rampart Boulevard, Suite 420  
7 Las Vegas, Nevada 89145  
8 Tel: (702) 880-0000  
9 Fax: (702) 778-9709  
10 Attorney for Defendant, JOEL SHANNON SMITH

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOEL SHANNON SMITH,

Defendant.

CASE NO. 2:17-cr-00044-JAD-PAL

**STIPULATION AND ORDER TO CONTINUE ARRAIGNMENT/PLEA (FIRST REQUEST)**

**IT IS HEREBY STIPULATED** by and between Joel Shannon Smith (“Mr. Smith”), Defendant, by and through his counsel, Paola M. Armeni, Esq., of the law firm of Gentile Cristalli Miller Armeni Savarese and the Plaintiff, United States of America, by and through Dayle Elieson, United States Attorney, and, Jared Grimmer, Assistant United States Attorney, that the Arraignment/Plea on the Superseding Indictment in the above-captioned matter, currently scheduled for July 12, 2018, at the hour of 1:30 p.m. be vacated. The Parties respectfully request the hearing be continued to the afternoon of **July 13, 2018 or in the alternative July 16, 2018.**

This Stipulation is entered into for the following reasons:

1. On July 3, 2018, a Superseding Indictment was filed against Mr. Smith. (ECF. 48).
2. The Arraignment/Plea on the Superseding Indictment has been set for July 12, 2018 at 1:30p.m. in front of the Honorable Magistrate Judge Nancy J. Koppe. (ECF. 50).

1        3. Ms. Paola M. Armeni, will be out of the jurisdiction on July 12, 2018 teaching at the  
2 Trial Academy at the Annual State Bar of Nevada Conference in Chicago, Illinois. Therefore,  
3 she is unavailable to appear at the current Arraignment/Plea on behalf of her client, Mr. Smith.

4        4. A short continuance of the Arraignment/Plea is necessary to ensure Mr. Smith's counsel  
5 is present at this court appearance, protecting his constitutional right to assistance of counsel.

6        5. Mr. Smith has appeared in this case and is in custody and, along with the government,  
7 agrees to a continuance.

8        6. The additional time requested herein is not sought for purposes of delay and the denial of  
9 this request for a continuance could result in a miscarriage of justice.

10       7. For all the above-stated reasons, the ends of justice would be best served by a short  
11 continuance of the Arraignment/Plea.

12       8. This is the first request for a continuance of the Arraignment/Plea.

13 DAYLE ELIESON  
14 UNITED STATES ATTORNEY  
DISTRICT OF NEVADA

GENTILE CRISTALLI  
MILLER ARMENI SAVARESE

15 DATED this 5th day of July, 2018.

DATED this 5th day of July, 2018

16 /s/ Jared Grimmer  
17 JARED GRIMMER  
Assistant United States Attorney  
18 Attorneys for Plaintiff,  
UNITED STATES OF AMERICA

/s/ Paola M. Armeni  
PAOLA M. ARMENI  
Attorney for Defendant,  
JOEL SHANNON SMITH

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,  
4  
5 Plaintiff,  
6  
7 vs.  
8  
9 JOEL SHANNON SMITH,  
10  
11 Defendant.

CASE NO. 2:17-cr-00044-JAD-PAL

12 **FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER**

13 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
14 Court hereby finds that:

15 **CONCLUSIONS OF LAW**

16 Based on the fact that counsel has agreed to a continuance, the Court hereby concludes that:

- 17 1. On July 3, 2018, a Superseding Indictment was filed against Mr. Smith. (ECF. 48).
- 18 2. The Arraignment/Plea on the Superseding Indictment has been set for July 12, 2018 at  
19 1:30p.m. in front of the Honorable Magistrate Judge Nancy J. Koppe. (ECF. 50).
- 20 3. Ms. Paola M. Armeni, will be out of the jurisdiction on July 12, 2018 teaching at the  
21 Trial Academy at the Annual State Bar of Nevada Conference in Chicago, Illinois. Therefore,  
22 she is unavailable to appear at the current Arraignment/Plea on behalf of her client, Mr. Smith.
- 23 4. A short continuance of the Arraignment/Plea is necessary to ensure Mr. Smith's counsel  
24 is present at this court appearance, protecting his constitutional right to assistance of counsel.
- 25 5. Mr. Smith has appeared in this case and is in custody and, along with the government,  
26 agrees to a continuance.
- 27 6. The additional time requested herein is not sought for purposes of delay and the denial of  
28 this request for a continuance could result in a miscarriage of justice.
7. For all the above-stated reasons, the ends of justice would be best served by a short  
continuance of the Arraignment/Plea.

...

1 8. This is the first request for a continuance of the Arraignment/Plea.

2 **ORDER**

3 **IT IS HEREBY ORDERED** that the Arraignment/Plea in this matter scheduled for July  
4 12, 2018, at the hour of 1:30 p.m., is hereby vacated and continued to Friday, July 13, 2018, at the  
5 hour of 1:30 p.m., in Courtroom 3D.

6 **DATED** this 6th day of July, 2018.

7  
8  
9   
10 **NANCY J. KOPPE**  
11 **UNITED STATES MAGISTRATE JUDGE**  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28